

**PHOENIXVILLE BOROUGH COUNCIL**  
**Tuesday, October 13, 2009 (Minutes Approved by Borough Council October 27, 2009)**  
**7:00 PM**

- I. Invocation/Pledge of Allegiance – Chair – Mr. Wagner called the meeting to order.
- II. Roll Call – Borough Secretary – Those present on roll call were as follows: Buckwalter, Ciruelos, Gill, Handwerk, Kirkner, Senley, Speck, and Wagner. Also present were: Mayor Scoda, Manager Krack, Chief Mossman, and Solicitor Rau.
- III. Minutes of Previous Meetings: September 22, 2009 – Mr. Kirkner made a motion to approve the minutes, seconded by Mr. Speck, and approved by a vote of 6 to 0.
- IV. Public Participation – 30 minutes
  - a. Ms. Irene Hilly of 520 Franklin Avenue said she is addressing the regional comprehensive plan consistency review report. She said she has reviewed it and feels it has too much high density for Phoenixville and shouldn't be concentrated just in the Borough. She said she hopes you look into this further.
- V. Appointments/Public Resolutions - None
- VI. Presentations: Nancy Fromnick – Waste Watchers Award – Ms. Fromnick said she is the Chester County Recycling Coordinator and is here to present the Waste Watchers Award for 2009.

Mr. Wagner said we are now a Classic Town. (Mr. Krack explained further).

- VII. Communications
  - a. Mr. Gill said the Halloween Parade is Tuesday, October 20, 2009 at 7:00 p.m.
  - b. Mayor Scoda said Halloween will be celebrated on October 31, 2009 from 6:00 to 8:30 p.m.
  - c. Mr. Wagner read a letter from the Phoenixville Town Watch in support of the fair rental ordinance.
- VIII. Council Participation
  - a. Mr. Speck said he would like to thank the Chester County Fire Chief who had his vehicle there to teach children about a smoke filled room.
  - b. Mr. Wagner said he had a chance to tour the fire house facilities and see the challenges we face with the volunteer firefighters.
- IX. New Business: Consider Adult Children Insurance Coverage – Mr. Krack said the Commonwealth has added a length of time that a child can be covered under insurance. He said Mr. Nease and I are not in favor of offering that to the employees because that rate could be as much as \$3,000 to \$4,000 per employee.

Mr. Ciruelos asked if we have an idea of how many of our employees would be affected by this coverage?

Mr. Krack said he doesn't have that number available.

Mr. Senley said the Borough should not incur any of these costs; however, if we can put a situation together we should at least offer it.

Mr. Senley made a motion to offer the coverage to employees, seconded by Mr. Gill. (Mr. Senley said based on the fact that his motion is invalid he is withdrawing his motion).

ON THE QUESTION: Mr. Kirkner said if we go this route he would rather defer until contract negotiations and thinks we should follow the advice of the manager and will vote no on the motion.

Mr. Speck made a motion not to accept the proposition at this time, seconded by Mr. Buckwalter, and approved by a vote of 7 to 0.

X. Resolutions - None

XI. Public Hearings

- a. Consider Adoption of Ordinance Amending Chapter 15, "Motor Vehicles and Traffic", Part 2, "Traffic Regulations", by Creating Additional One Way Roadways in the Borough of Phoenixville, Chester County, Pennsylvania – Mr. Wagner opened up the public hearing. No one wished to speak so Mr. Wagner closed the public hearing. Mr. Rau said this relates to making Morris Street one way.

Mr. Kirkner made a motion to adopt the ordinance to make Morris Street one way, seconded by Mr. Ciruelos, and approved by a vote of 7 to 0.

ON THE QUESTION: Mr. Senley said just to confirm, we have an analysis on file from the Chief that indicates the Police Department support of this ordinance.

XII. Reports of Committees, Boards, Commissions and Authorities

A. Planning Commission

1. Consider Whether or Not to Oppose the Application for Phoenixville Area School District to Request a Zoning Variance for 1330 S. Main Street (Planning Commission Recommended by a Vote of 6 to 0 Not to Oppose the Application) – No action was taken on this item.
2. Consider Approval of the Preliminary/Final Plan for 375-379 First Avenue (two lot subdivision) – Approved by the Planning Commission by a Vote of 6 to 0 – A representative from CMX spoke on behalf of the applicant.

Mr. Ciruelos made a motion to approve the preliminary/final plan for 375-379 First Avenue for a two lot subdivision, seconded by Mr. Kirkner, and approved by a vote of 7 to 0.

3. Consider a Motion to Schedule and Advertise a Public Hearing to Adopt the Regional Comprehensive Plan Consistency Review Report (Planning Commission Advises Council by a Vote of 5 to 1 that they agree with Portions of the Report Pertaining to Phoenixville Borough) – Mr. Kirkner made a motion to advertise a public hearing to adopt the regional comprehensive plan consistency review report, seconded by Mr. Ciruelos, and approved by a vote of 7 to 0.

ON THE QUESTION: Mr. Kirkner said earlier this evening we heard from Ms. Hilly regarding transferrable development rights and at this juncture there are no plans for that although it is something we are looking at.

B. Regional Planning Commission

1. Consider Appointment of Regional Planning Delegates – Mr. Kirkner said he spoke with Father James Evans of the Planning Commission and he has agreed to serve if appointed.

Mr. Kirkner made a motion to appoint Father James Evans as a regional planning delegate, seconded by Mr. Gill, and approved by a vote of 7 to 0.

ON THE QUESTION: Mr. Senley asked what the role is of the delegate?

Mr. Kirkner said if the Council appointee can't make the meeting or the alternate delegate can't make the meeting this person would fill in.

- C. Parking Authority – Mr. Cassidy said we received the revenue study and it verifies we would be able to pay back any loan. (Mr. Wagner said the parking authority will review the study and come back to Council at the next business meeting and then Council can decide to take action).
- D. Historical Architectural Review Board
  - 1. Consider Approval of the Application for 100 N. Bank Street to Install a 24" x 36" Sign – Mr. Senley made a motion to approve the application at 100 N. Bank Street, seconded by Mr. Buckwalter, and approved by a vote of 7 to 0.
  - 2. Consider Approval of the Application for 219 Bridge Street to Install a 38" x 26.8" Sign – Mr. Senley made a motion to approve the application at 219 Bridge Street, seconded by Mr. Buckwalter, and approved by a vote of 7 to 0.
  - 3. Consider Approval of the Application for 258 Bridge Street to Install a 24" x 30" MDO Sign – Mr. Senley made a motion to approve the application for 258 Bridge Street, seconded by Mr. Buckwalter, and approved by a vote of 7 to 0.
- E. Council Action referred from Council Committees

XIII. Public Participation (con't) – There were no members of the public wishing to speak.

XIV. Executive Session – Council entered into executive session. Council returned and Mr. Wagner stated we discussed personnel, real estate, and legal matters.

- a. Discussion Regarding Personnel
- b. Discussion Regarding Real Estate
- c. Discussion Regarding Legal Matters

XV. Staff Reports

1. Manager's Report – Mr. Krack said this coming Friday, October 16th will be the opening of the Gay Street Bridge. He said you received in your packet a third letter that he sent to East Pikeland Township regarding payment for the fire hydrants.

Mr. Kirkner brought up the fact that there are some unpaved segments around Friendship Field.

Mr. Wagner asked about the marketing piece for classic town and wondered if we have the marketing rights to be able to print more of these. (Mr. Krack said we do have files).

- 2. Code Enforcement Report
- 3. Public Works Director's Report
  - a. Consider Award of Bid for the Water Treatment Plant Improvements to Blooming Glen Contractors in the Amount of \$266,511- Mr. Buckwalter made a motion to award the water treatment improvement to Blooming Glen, seconded by Mr. Senley, and approved by a vote of 8 to 0. (Mr. Handwerk joined the meeting at 8:45 p.m.)

ON THE QUESTION: Mr. Buckwalter stated that this is for a much needed repair and he is happy to say that we are now able to do this and it will improve the quality of the water.

- 4. Fire Chief's Report
- 5. Finance Director's Report
- 6. Mayor's Report – Mayor Scoda said the Halloween Parade is Tuesday, October 20, 2009 and Trick or Treating is Saturday, October 31, 2009 from 6:00 to 8:30 p.m. He gave safety reminders. He briefly went over his monthly activities. (Mr. Kirkner thanked the Police Department for getting speed limit signs up in the Ledges).

Other Reports

- 1. CDC Report – Mr. Cassidy said we're meeting with the county on October 23<sup>rd</sup> to see what kind of grant we can apply for relating to the water plant improvements. He said for next

2. Fire Liaison Report – Mr. Buckwalter said there was a meeting on Monday, September 28<sup>th</sup> and the meeting minutes were on the CD.

XVI. Old Business – There was no old business to come before Council.

XVII. Adjournment – Mr. Gill made a motion to adjourn. Meeting adjourned.